

**EXHIBIT 5**

Copies of Claims from 3 Co-Pending Applications

**ISSUED CLAIMS**

**Application No. 10/450,108**

**Patent No. 7,410,636**

**Attorney Docket No. 05725.1198-00000**

**Filed: June 11, 2003**

The composition according to the invention may also comprise a dyestuff, for instance pulverulent dyestuffs, liposoluble dyes and water-soluble dyes. This dyestuff may be present in a content ranging from 0.01% to 50% by weight, relative to the total weight of the composition, preferably ranging from 0.01% to 30% by weight.

The pulverulent dyestuffs may be chosen from pigments and nacre.

The pigments may be white or coloured, mineral and/or organic, and coated or uncoated. Among the mineral pigments which may be mentioned are titanium dioxide, optionally surface-treated, zirconium oxide, zinc oxide or cerium oxide, as well as iron oxide, chromium oxide, manganese violet, ultramarine blue, chromium hydrate and ferric blue. Among the organic pigments which may be mentioned are carbon black, pigments of D & C type, and lakes based on cochineal carmine or on barium, strontium, calcium or aluminium.

The nacre may be chosen from white nacreous pigments such as mica coated with titanium or with bismuth oxychloride, coloured nacreous pigments such as titanium mica with iron oxides, titanium mica with, in particular, ferric blue or chromium oxide, titanium mica with an organic pigment of the abovementioned type, and nacreous pigments based on bismuth oxychloride.

The liposoluble dyes are, for example, Sudan Red, D&C Red 17, D&C Green 6,  $\beta$ -carotene, soybean oil, Sudan Brown, D&C Yellow 11, D&C Violet 2, D&C Orange 5, quinoline yellow and annatto. The water-soluble dyes are, for example, beetroot juice and methylene blue.

The composition of the invention may also comprise any additive usually used in cosmetics, such as antioxidants, fillers, preserving agents, fragrances, neutralizing agents, thickeners, cosmetic or dermatological active agents such as, for example, emollients, moisturizers, vitamins and sunscreens, and mixtures thereof. These additives may be present in the composition in a content ranging from 0% to 20% (in particular from 0.01% to 20%) relative to the total weight of the composition and better still from 0.01% to 10% (if present).

Needless to say, a person skilled in the art will take care to select the optional additional additives and/or the amount thereof such that the advantageous properties of the composition according to the invention are not, or are not substantially, adversely affected by the addition envisaged.

The composition according to the invention may be manufactured by the known processes generally used in cosmetics or dermatology.

The invention is illustrated in greater detail in the examples which follow.

#### EXAMPLE 1

A mascara having the composition below was prepared:

Carnauba wax	2.6 g
Beeswax	3.3 g
Paraffin wax	10.4 g
Hydrogenated jojoba oil	0.2 g
Hydrogenated palm oil	0.2 g
Polyamide resin with ester end groups, sold under the name "Uniclear 80 100" by the company Airtex Chemical	1 g
2-Amino-2-methyl-1,3-propanediol	0.8 g
Triethanolamine	2.4 g
Stearic acid	6.6 g
Hydroxyethylcellulose	0.8 g

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Gum arabic	0.6 g
Ethyl acrylate/methyl methacrylate copolymer (80/20) as an aqueous dispersion containing 50% AM (Daitosol 5000 AD from Sato)	5 g AM
Polyamide fibres (3 mm long and 0.9 Dtex, from the company Paul Berne)	1 g
Black iron oxide	5 g
Preserving agents	qr
Water	100 g

This mascara is easy to apply and adheres well to the eyelashes during and after application; the eyelashes are made up quickly.

The make-up result obtained gives the eyelashes a lengthened effect.

#### EXAMPLE 2

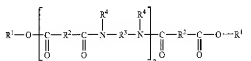
A mascara having the composition below was prepared:

Carnauba wax	2.6 g
Beeswax	3.3 g
Paraffin wax	10.4 g
Hydrogenated jojoba oil	0.2 g
Hydrogenated palm oil	0.2 g
Polyamide resin sold under the name "Uniclear 80 126" by the company Airtex Chemical	1 g
2-Amino-2-methyl-1,3-propanediol	0.8 g
Triethanolamine	2.4 g
Stearic acid	6.6 g
Hydroxyethylcellulose	0.8 g
Gum arabic	0.6 g
Ethyl acrylate/methyl methacrylate copolymer (80/20) as an aqueous dispersion containing 50% AM (Daitosol 5000 AD from Sato)	5 g AM
Polyamide fibres (3 mm long and 0.9 Dtex, from the company Paul Berne)	1 g
Black iron oxide	5 g
Preserving agents	qr
Water	100 g

This mascara adheres well to the eyelashes during application and allows the eyelashes to be made up quickly.

The invention claimed is:

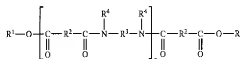
1. A composition comprising, in a physiologically acceptable medium comprising at least one fatty phase, at least one fiber; and at least one first polymer chosen from polymers of formula (I) below:



wherein:

- n is a number of amide units such that the number of ester groups represents from 10% to 50% of the total number of the ester groups and of the amide groups in the at least one first polymer;

- $R^1$ , which may be identical or different, is chosen from alkyl and alkenyl groups comprising at least 4 carbon atoms;
- $R^2$ , which may be identical or different, is chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups, provided that 50% of the groups are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;
- $R^3$ , which may be identical or different, is chosen from organic groups comprising at least 2 carbon atoms, hydrogen atoms, and optionally at least one atom chosen from oxygen and nitrogen atoms; and
- $R^4$ , which may be identical or different, is chosen from a hydrogen atom,  $C_1$  to  $C_{10}$  alkyl groups, a direct bond to  $R^1$ , and a direct bond to another  $R^1$ , such that the nitrogen atom to which  $R^1$  and  $R^4$  are both attached forms part of a heterocyclic structure defined by  $R^4-N-R^3$ , wherein at least 50% of the groups  $R^4$  are hydrogen atoms.
2. The composition according to claim 1, wherein, in the formula (I),  $R^1$ , which may be identical or different, is chosen from  $C_{12}$  to  $C_{22}$  alkyl groups.
  3. The composition according to claim 1, wherein, in the formula (I),  $R^2$ , which may be identical or different, is chosen from  $C_{10}$  to  $C_{42}$  hydrocarbon-based groups.
  4. The composition according to claim 1, wherein the at least one first polymer is present in an amount ranging from 0.01% to 10% by weight, relative to the total weight of the composition.
  5. The composition according to claim 1, wherein the at least one fiber is chosen from silk, cotton, wool, and flax fibers; cellulose fibers; polyamide; cork, sugar cane, rayon and viscose fibers; acetate fibers; poly-(p-phenyleneterephthalamide) fibers; acrylic polymer fibers; polyolefin fibers; glass, silica, and carbon fibers; polytetrafluoroethylene, insoluble collagen, polyester, polyvinyl chloride and polyvinylidene chloride; polyvinyl alcohol, polyacrylonitrile, chitosan, polyurethane and polyethylene phthalate fibers; fibers formed from mixtures of polymers; and surgical fibers.
  6. The composition according to claim 5, wherein the cellulose fibers are chosen from those extracted from wood, plants, and algae.
  7. The composition according to claim 5, wherein the acetate fibers are chosen from rayon acetate, cellulose acetate, and silk acetate fibers.
  8. The composition according to claim 5, wherein the acrylic polymer fibers are chosen from polymethyl methacrylate and poly-2-hydroxyethyl methacrylate fibers.
  9. The composition according to claim 5, wherein the polyolefin fibers are chosen from polyethylene and polypropylene fibers.
  10. The composition according to claim 5, wherein the carbon fibers are in graphite form.
  11. The composition according to claim 1, wherein the at least one fiber is chosen from fibers of synthetic origin.
  12. The composition according to claim 1, wherein the at least one fiber comprises at least one chemical group chosen from groups of the same chemical nature as that of the units of the at least one first polymer and groups capable of forming physical bonds of the same type as that of the units of the at least one first polymer.
  13. The composition according to claim 1, wherein the at least one fiber is chosen from hydrophobic-treated fibers.
  14. The composition according to claim 1, wherein the at least one fiber is chosen from polyamide fibers and poly-(p-phenyleneterephthalamide) fibers.
  15. The composition according to claim 1, wherein the at least one fiber has a length  $l$  and a diameter  $D$  such that  $l/D$  ranges from 1.5 to 2500.
  16. The composition according to claim 1, wherein the at least one fiber has a length ranging from 1 nm to 20  $\mu$ m.
  17. The composition according to claim 1, wherein the at least one fiber is present in an amount ranging from 0.1% to 40% by weight, relative to the total weight of the composition.
  18. The composition according to claim 1, further comprising at least one wax.
  19. The composition according to claim 1, further comprising at least one volatile oil.
  20. The composition according to claim 1, further comprising at least one organic solvent.
  21. The composition according to claim 1, further comprising at least one non-volatile oil.
  22. The composition according to claim 1, wherein the at least one fatty phase is present in an amount ranging from 2% to 98% by weight, relative to the total weight of the composition.
  23. The composition according to claim 1, further comprising at least one aqueous phase.
  24. The composition according to claim 1, further comprising at least one second film-forming polymer which is different from the at least one first polymer.
  25. The composition according to claim 24, wherein the at least one second film-forming polymer is chosen from vinyl polymers, polyurethanes, polyesters, polyamides, polyureas and cellulose polymers.
  26. The composition according to claim 1, further comprising at least one dyestuff.
  27. The composition according to claim 1, further comprising at least one additive chosen from water, antioxidants, fillers, preserving agents, fragrances, neutralizing agents, thickeners, and cosmetic and dermatological active agents.
  28. The composition according to claim 1, wherein the composition is provided in a form chosen from mascaras, eyeliners, products for eyebrows, products for lips, face powders, eyeshadows, foundations, make-up products for a body, conical products, nail varnishes, skincare products and haircare products.
  29. The composition according to claim 1, wherein the at least one first polymer is chosen from ethylenediamine/stearyl dimer tallowate copolymer.
  30. The composition according to claim 1, wherein the at least one first polymer is chosen from ethylenediamine/stearyl dimer dilinoleate copolymer.
  31. A mascara comprising, in a physiologically acceptable medium comprising at least one fatty phase, at least one fiber; and at least one first polymer chosen from polymers of formula (I) below:



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wherein:

$n$  is a number of amide units such that the number of ester groups represents from 10% to 50% of the total number of the ester groups and of the amide groups in the at least one first polymer;

$R^1$ , which may be identical or different, is chosen from alkyl and alkenyl groups comprising at least 4 carbon atoms;

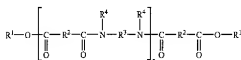
$R^2$ , which may be identical or different, is chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups, provided that 50% of the groups  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;

$R^3$ , which may be identical or different, is chosen from organic groups comprising at least 2 carbon atoms, hydrogen atoms, and optionally at least one atom chosen from oxygen and nitrogen atoms; and

$R^4$ , which may be identical or different, is chosen from a hydrogen atom,  $C_1$  to  $C_{16}$  alkyl groups, a direct bond to  $R^3$ , and a direct bond to another  $R^4$ , such that the nitrogen atom to which  $R^3$  and  $R^4$  are both attached forms part of a heterocyclic structure defined by  $R^4-N-R^3$ , wherein at least 50% of the groups  $R^4$  are hydrogen atoms.

32. A cosmetic process for making up and/or caring for a keratin material of a human being, comprising applying to the keratin material a composition comprising, in a physiologically acceptable medium comprising at least one fatty phase, at least one fiber; and

at least one first polymer chosen from polymers of formula (I) below;



wherein:

$n$  is a number of amide units such that the number of ester groups represents from 10% to 50% of the total number of the ester groups and of the amide groups in the at least one first polymer;

$R^1$ , which may be identical or different, is chosen from alkyl and alkenyl groups comprising at least 4 carbon atoms;

$R^2$ , which may be identical or different, is chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups, provided that 50% of the groups  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;

$R^3$ , which may be identical or different, is chosen from organic groups comprising at least 2 carbon atoms, hydrogen atoms, and optionally at least one atom chosen from oxygen and nitrogen atoms; and

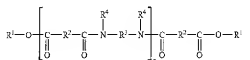
$R^4$ , which may be identical or different, is chosen from a hydrogen atom,  $C_1$  to  $C_{16}$  alkyl groups, a direct bond to  $R^3$ , and a direct bond to another  $R^4$ , such that the nitrogen atom to which  $R^3$  and  $R^4$  are both attached forms part of a heterocyclic structure defined by  $R^4-N-R^3$ , wherein at least 50% of the groups  $R^4$  are hydrogen atoms.

33. A method for obtaining a deposit which adheres to a keratin material comprising applying to the keratin material a composition comprising, in a physiologically acceptable medium comprising at least one fatty phase,

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at least one fiber; and

at least one first polymer chosen from polymers of formula (I) below:



wherein:

$n$  is a number of amide units such that the number of ester groups represents from 10% to 50% of the total number of the ester groups and of the amide groups in the at least one first polymer;

$R^1$ , which may be identical or different, is chosen from alkyl and alkenyl groups comprising at least 4 carbon atoms;

$R^2$ , which may be identical or different, is chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups, provided that 50% of the groups  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;

$R^3$ , which may be identical or different, is chosen from organic groups comprising at least 2 carbon atoms, hydrogen atoms, and optionally at least one atom chosen from oxygen and nitrogen atoms; and

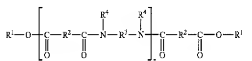
$R^4$ , which may be identical or different, is chosen from a hydrogen atom,  $C_1$  to  $C_{16}$  alkyl groups, a direct bond to  $R^3$ , and a direct bond to another  $R^4$ , such that the nitrogen atom to which  $R^3$  and  $R^4$  are both attached forms part of a heterocyclic structure defined by  $R^4-N-R^3$ , wherein at least 50% of the groups  $R^4$  are hydrogen atoms,

wherein said composition is applied in an amount effective for obtaining a deposit which adheres to the keratin material.

34. A method for thickening and/or lengthening eyelashes comprising applying to the eyelashes a mascara comprising, in a physiologically acceptable medium comprising at least one fatty phase,

at least one fiber; and

at least one first polymer chosen from polymers of formula (I) below:



wherein:

$n$  is a number of amide units such that the number of ester groups represents from 10% to 50% of the total number of the ester groups and of the amide groups in the at least one first polymer;

$R^1$ , which may be identical or different, is chosen from alkyl and alkenyl groups comprising at least 4 carbon atoms;

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$R^2$ , which may be identical or different, is chosen from  $C_4$  to  $C_{42}$  hydrocarbon-based groups, provided that 50% of the groups  $R^2$  are chosen from  $C_{30}$  to  $C_{42}$  hydrocarbon-based groups;

$R^3$ , which may be identical or different, is chosen from organic groups comprising at least 2 carbon atoms, hydrogen atoms, and optionally at least one atom chosen from oxygen and nitrogen atoms; and

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$R^4$ , which may be identical or different, is chosen from a hydrogen atom,  $C_1$  to  $C_{16}$  alkyl groups, a direct bond to  $R^3$ , and a direct bond to another  $R^4$ , such that the nitrogen atom to which  $R^3$  and  $R^4$  are both attached forms part of a heterocyclic structure defined by  $R^4-N-R^3$ , wherein at least 50% of the groups  $R^4$  are hydrogen atoms.

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PENDING CLAIMS  
Application No. 09/733,899  
Attorney Docket No. 05725.0594-00  
Filed: December 12, 2000

1-290. (Cancelled)

291. A cosmetic composition comprising:

at least one liquid fatty phase in said cosmetic composition which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl  
dimer dilinoleate copolymer; and

(ii) at least one film-forming silicone resin.

292. (Previously Presented) A cosmetic composition comprising:

at least one liquid fatty phase in said cosmetic composition which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl  
dimer tallate copolymer; and

(ii) at least one film-forming silicone resin.

293. A cosmetic composition comprising:

at least one liquid fatty phase which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl  
dimer dilinoleate copolymer; and

(ii) at least one film-forming silicone resin.

294. A cosmetic composition comprising:

at least one liquid fatty phase in said composition which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl  
dimer tallate copolymer; and

(ii) at least one film-forming silicone resin.

295. A method comprising applying a cosmetic composition to a keratin material, said composition comprising:

at least one liquid fatty phase which comprises:

- (i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and
- (ii) at least one film-forming silicone resin.

296. A method comprising applying a cosmetic composition to a keratin material, said composition comprising:

at least one liquid fatty phase which comprises:

- (i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and
- (ii) at least one film-forming silicone resin.

297. A method for making a cosmetic composition in the form of a physiologically acceptable composition comprising including in said composition

at least one liquid fatty phase which comprises:

- (i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and
- (ii) at least one film-forming silicone resin.

298. A method for making a cosmetic composition in the form of a physiologically acceptable composition comprising including in said composition

at least one liquid fatty phase which comprises:

- (i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and
- (ii) at least one film-forming silicone resin.



PENDING CLAIMS  
Application No. 09/733,900  
Attorney Docket No. 05725.0595-00  
Filed: December 12, 2000

1-354 (Canceled).

355. A mascara, an eyeliner, a foundation, a lipstick, a blusher, a make-up-removing product, a make-up product for the body, an eyeshadow, a face powder, a concealer product, a nail composition, a shampoo, a conditioner, or an anti-sun product comprising a composition comprising at least one liquid fatty phase in said mascara, eyeliner, foundation, blusher, lipstick, make-up-removing product, make-up product for the body, eyeshadow, face powder, concealer product, nail composition, shampoo, conditioner, or antisun product which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

356. A cosmetic composition comprising:

at least one liquid fatty phase in said composition which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

357. A cosmetic composition comprising:

(i) at least one liquid fatty phase structured with at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer;

(ii) at least one oil-soluble cationic surfactant; and

(iii) at least one coloring agent.

358. A method comprising applying a cosmetic composition to keratin material, said composition comprising:

at least one liquid fatty phase which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

359. A method for making a cosmetic composition in the form of a physiologically acceptable composition comprising including in said composition

at least one liquid fatty phase which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

360. A method for providing at least one of resistance to shear and stability to a cosmetic composition, comprising including in said cosmetic composition at least one liquid fatty phase which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and

(ii) at least one oil-soluble cationic surfactant,

and further wherein said at least one structuring polymer and said at least one oil-soluble cationic surfactant are present in a combined amount effective to provide at least one property chosen from resistance to shear and stability.

361. A cosmetic composition comprising a structured composition comprising:

(i) at least one liquid fatty phase in said composition structured with at least one structuring polymer chosen from ethylenediamine/stearyl dimer tallate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

362. A mascara, an eyeliner, a foundation, a lipstick, a blusher, a make-up-removing product, a make-up product for the body, an eyeshadow, a face powder, a concealer product, a nail composition, a shampoo, a conditioner, or an anti-sun product comprising a composition comprising at least one liquid fatty phase in said mascara, eyeliner, foundation, blusher, lipstick, make-up-removing product, make-up product for the body, eyeshadow, face powder, concealer product, nail composition, shampoo, conditioner, or antisen product which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

363. A cosmetic composition comprising:

at least one liquid fatty phase in said composition which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

364. A cosmetic composition comprising:

(i) at least one liquid fatty phase structured with at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer;

(ii) at least one oil-soluble cationic surfactant; and

(iii) at least one coloring agent.

365. A method comprising applying a cosmetic composition to a keratin material, said composition comprising:

at least one liquid fatty phase which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

366. A method for making a cosmetic composition in the form of a physiologically acceptable composition comprising including in said composition

at least one liquid fatty phase which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and

(ii) at least one oil-soluble cationic surfactant.

367. A method for providing at least one of resistance to shear and stability to a cosmetic composition, comprising including in said cosmetic composition at least one liquid fatty phase which comprises:

(i) at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and

(ii) at least one oil-soluble cationic surfactant,

and further wherein said at least one structuring polymer and said at least one oil-soluble cationic surfactant are present in a combined amount effective to provide at least one property chosen from resistance to shear and stability.

368. A cosmetic composition comprising:

(i) at least one liquid fatty phase in said composition structured with at least one structuring polymer chosen from ethylenediamine/stearyl dimer dilinoleate copolymer; and

(ii) at least one oil-soluble cationic surfactant.